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EXAMINER

TRUONG, THANHNGA B

ART UNIT PAPER NUMBER

2135

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/080,476

Applicant(s)

PROUDLER ET AL.

Examiner

Thanhnga B. Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. Applicant's amendment filed on December 12, 2005 has been entered. Claims 1-10 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mikkola et al (US 6,529,143 B1), and further in view of Helbig (US 5,841,868).

a. *Referring to claim 1:*

i. Mikkola teaches:

(1) an information access point relating to at least one pre-determined geographical area, said information access point including apparatus for retrieving information relating to computing platforms located within said pre-determined geographical area, together with security attributes of said computing platforms, said information system being arranged to provide said information to a user upon request **[i.e., now, a method and devices have been invented by means of which a mobile user can automatically be informed of geographical points of interest (POI) that are of interest to him, when specific threshold values are met and where the meeting of these values is monitored in a stationary ground station or stations. A user-specific terminal according to the invention comprises functionality of a mobile station by means of which the terminal can also be used with a mobile communication network for determining its position (column 2, lines 5-14). In addition, the mobility of the user is monitored if necessary in one or more ground stations and when the user arrives in the vicinity of any of the POIs, data on the POI in question are automatically transmitted wirelessly to his terminal, whereupon POI data are only transmitted when necessary (column 2, lines 20-25).**

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Furthermore, Figure 1 shows the parts of an information retrieval system according to a first aspect of the invention. The system comprises a mobile communication network whereto a user terminal 100 and a geographical POI data server 120 are connected. The POI data are preferably but not necessarily input in an operating station 130 in a mass storage 121 of the server 120. The operating station can connect to the server directly or, for example, by a modem through an optional telephone network or, e.g. through the Internet. There can be several operating stations like this and preferably more than one can simultaneously connect to the server for maintaining the data of a database stored in the server's mass storage (column 6, lines 28-39)].

ii. Although Mikkola teaches the information retrieval system using the geographical points of interest (POI), which can be downloaded or transmitted to user's terminal, Mikkola is silent about the security features using within the trusted communication network. On the other hand, Helbig teaches:

(1) A trusted computing system according to the invention includes a general-purpose computing apparatus with a keyboard port adapted to be coupled to a keyboard, and which is responsive to signals applied to the keyboard port to perform its function (column 2, lines 27-32 of Helbig). Furthermore, the system according to the invention also includes a plurality of removable access cards adapted to be coupled to the dumb reader. Each of the access cards includes memory adapted for storing personal identification information such as a personal identification number of the authorized user to whom the card is issued. Within the card, a comparator is coupled to the memory, for, in a first mode of operation, comparing the keyboard signals with the personal identification information stored in the card memory, and for, when the comparator matches the keyboard signals with the personal identification information, switching to a second mode of operation, and for, in the second mode of operation, coupling the keyboard signals to the keyboard port of the computing apparatus. The system is secure, even against an unauthorized person who gains control of an access card, because no keyboard signals reach the computer itself until the personal information is verified by the card. Only an access card, together with

knowledge about the information stored in the card's memory, can provide access **(column 2, lines 41-60 of Helbig)**.

iii. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

(1) have applied the teaching of Helbig into Mikkola's system in which security against unauthorized access is provided **(column 1, lines 5-6 of Helbig)**.

iv. The ordinary skilled person would have been motivated to:

(1) have applied the teaching of Helbig into Mikkola's system since the invention provides positive and definite separation of the user's private information from the host computer, and does not allow this user to gain access to the host computer software unless the private sign-on information is provided during the start-up process **(column 2, lines 63-67 of Helbig)**.

b. Referring to claim 2:

i. Mikkola further teaches:

(1) wherein said information system is arranged to provide as said information only details and/or a list of public keys of genuine trusted computing platforms within said pre-determined geographical area [i. e., **Figure 5a shows an exemplary structure of a POI database 50. The POI database can be structured comprising a set of records 51 each having a set of fields of a specific shape. (column 7, lines 39-41). In addition, Figure 5b shows the display unit 421 of a terminal according to the invention and the POI data presented by it to the user. The display unit is preferably a touch screen. In this case, it is possible to present on the display `buttons` by pressing of which the terminal can be controlled. Alternatively, it is possible to use buttons placed on the sides of the display unit, the use of which can be indicated by means of a text to be presented on the display in their vicinity. The display in the figure shows one POI information the name of which is presented in a field F1 on top of the free area of the screen. Underneath the field F1, there is a field F2 wherein there is an indicator arrow roughly pointing towards the destination and, under this, still**

another field F3 wherein the distance and travel time calculated to the destination is given. The field F3 is particularly useful because it shows the user in a moment how far the POI is, and the user can immediately decide whether or not he is interested in the destination on that occasion (column 8, lines 37-54)).

c. Referring to claim 3:

i. Helbig further teaches:

(1) wherein said information access point comprises a trusted computing platform [i.e., **a trusted computing system according to the invention includes a general-purpose computing apparatus with a keyboard port adapted to be coupled to a keyboard, and which is responsive to signals applied to the keyboard port to perform its function (column 2, lines 27-32 of Helbig)**].

d. Referring to claim 4:

i. Mikkola further teaches:

(1) comprising apparatus for communicating or interacting with a user's portable computing apparatus [i.e., **referring to Figure 1, the user making use of the system can connect with his own terminal 100 to the mobile communication network through the base station 112 at the same as another mobile communication network subscriber can connect with his mobile phone 110 to the mobile communication network. Thus, the terminal 100 and the server 120 are in communication with each other through the mobile communication network (column 6, lines 48-55)**].

e. Referring to claim 5:

i. Mikkola further teaches:

(1) wherein said apparatus for communicating or interacting a user's portable computing apparatus is arranged to perform said communication or interaction by physical contact or directional wireless communication [i.e., **referring to Figure 1, the user making use of the system can connect with his own terminal 100 to the mobile communication network through the base station 112 at the same as another mobile communication network subscriber can connect with his mobile phone 110 to the mobile communication network. Thus,**

the terminal 100 and the server 120 are in communication with each other through the mobile communication network. The server 120 can also connect to the mobile communication network through other data transfer connections or networks, such as the Internet (column 6, lines 48-58)].

f. Referring to claims 6-7:

i. Mikkola further teaches:

(1) incorporating or accompanied by a declaration concerning the trustworthiness of the system; wherein said declaration is capable of interpretation by a user without preprocessing by an information processing system [i.e., Figure 4 shows parts of the user interface UI. The user interface comprises input means 41 for receiving an input given by the user, as well as output means 42 for presenting the information to the user. The input means 41 comprise, e.g. operating switches 411 of the device, such as a current switch, keys, a touch screen, a microphone 412, and possibly a speech recognition system for interpreting spoken input. The output means 42 comprise, e.g. a display 421 and a speaker 422, and possibly also speech synthesising devices for presenting as spoken data transferred as, e.g. text or phonemes (column 7, lines 28-38 of Mikkola)].

ii. Although Mikkola teaches the information retrieval system using the geographical points of interest (POI), which can be downloaded or transmitted to user's terminal, Mikkola is silent about the security features using within the trusted communication network. On the other hand, Helbig teaches:

(1) A trusted computing system according to the invention includes a general-purpose computing apparatus with a keyboard port adapted to be coupled to a keyboard, and which is responsive to signals applied to the keyboard port to perform its function **(column 2, lines 27-32 of Helbig)**. Furthermore, the system according to the invention also includes a plurality of removable access cards adapted to be coupled to the dumb reader. Each of the access cards includes memory adapted for storing personal identification information such as a personal identification number of the authorized user to whom the card is issued. Within the card, a comparator is coupled to the memory, for, in a first mode of operation,

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comparing the keyboard signals with the personal identification information stored in the card memory, and for, when the comparator matches the keyboard signals with the personal identification information, switching to a second mode of operation, and for, in the second mode of operation, coupling the keyboard signals to the keyboard port of the computing apparatus. The system is secure, even against an unauthorized person who gains control of an access card, because no keyboard signals reach the computer itself until the personal information is verified by the card. Only an access card, together with knowledge about the information stored in the card's memory, can provide access **(column 2, lines 41-60 of Helbig)**.

iii. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

(1) have applied the teaching of Helbig into Mikkola's system in which security against unauthorized access is provided **(column 1, lines 5-6 of Helbig)**.

iv. The ordinary skilled person would have been motivated to:

(1) have applied the teaching of Helbig into Mikkola's system since the invention provides positive and definite separation of the user's private information from the host computer, and does not allow this user to gain access to the host computer software unless the private sign-on information is provided during the start-up process **(column 2, lines 63-67 of Helbig)**.

g. Referring to claim 8:

i. Mikkola further teaches:

(1) arranged to verify the identity of a user (e.g., speech recognition system) [i.e., Figure 4 shows parts of the user interface UI. The user interface comprises input means 41 for receiving an input given by the user. The input means 41 comprise, e.g. operating switches 411 of the device, such as a current switch, keys, a touch screen, a microphone 412, and possibly a speech recognition system for interpreting spoken input (column 7, lines 28-38)].

h. Referring to claim 9:

i. This claim has limitations that is similar to those of claim 5, thus it is rejected with the same rationale applied against claim 5 above.

i. Referring to claim 10:

i. This claim has limitations that is similar to those of claims 1, 3, and 4, thus it is rejected with the same rationale applied against claims 1, 3, and 4 above.

Response to Argument

4. Applicant's arguments filed December 12, 2005 have been fully considered but they are not persuasive.

Applicant argues that:

There is no combination or motivation to combine the references and that Examiner cannot establish the prima facie case of obviousness.

Examiner does not agree with the applicant and still maintains that:

The broadly claimed language recites "an information access point (e.g., mobile) relating to at least one pre-determined geographical area (e.g., a point of destination, points of interest, or restaurants or service stations), said information access point including apparatus for retrieving information relating to computing platforms located within said pre-determined geographical area, together with security attributes (e.g., personal identification information, user's profile, system ID, or user ID, etc.) of said computing platforms, said information system being arranged to provide said information to a user upon request" could very much be read on by practically several prior arts. Besides, Examiner carefully reviews the applicant's specification and could not find any where in the specification that defines the term "security attributes". Again, broadly term such as, "security attributes", that cites in the claims could lead to broadly assumption by the examiner. More explanation and/or clarification in the claimed language is needed from the applicant to help distinguish the instant application from the prior arts. Thus, Mikkola teaches a method and devices for a mobile person's information retrieval where, when the person is moving, on coming closer to a point of destination, defined by him as being interesting, than a specified threshold separation, he will be informed of such a point of interest and, on request, additional data will be

presented on it, such as driving instructions or a map. The person is also offered a button with which he can make a call to the phone number of the point of interest presented each time. The person can add by himself new points of interest and select from available points of interest individual or several points of interest on the basis of their class, such as, e.g. restaurants or service stations. Mikkola further teaches he terminal determines its own position by means of a GPS device and calculates its distance from each point of interest. The terminal can also filter the data into a specific type according to the user's preferences. Although Mikkola teaches the information retrieval system which involves personal information, Mikkola is silent on the capability of including the security information about the user or user's system or the retrieval system associating with the personal information. On the other hand, Helbig teaches a trusted computing system includes a computer, responsive to signals applied to its keyboard port. The system includes a keyboard for generating signals representing keystrokes. A card reader is coupled to the keyboard and to the computer keyboard port. The card reader couples one of a plurality of removable access control cards to the keyboard and to the computer keyboard port. Each of the access cards includes memory for storing personal identification information of the user to whom the card is issued.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the combination of teachings between Mikkola and Helbig are sufficient.

Besides, Mattison and Miller do not need to disclose anything over and above the invention as claimed in order to render it unpatentable or anticipate. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably

distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claimed limitations.

In addition, applicant fails to respond to the prior art, Richton (US 6,650,902 B1), that Examiner has cited in the conclusion of the office action. The combination of teachings between Richton and Helbig could read on to the limitations reciting in claims 1 and 10 of the application (**column 3, lines 9-28 of Richton and column 2, lines 27-32 and lines 41-60 of Helbig**).

For the above reasons, it is believed that the rejections should be sustained.

Conclusion

5. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 571-272-3858.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached at 571-272-3859. The fax and phone numbers for the organization where this application or proceeding is assigned is 571-272-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.


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TBT

March 02, 2006


HOSUK SONG
PRIMARY EXAMINER